UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/CN.15/1998/2
11 March 1998

ORIGINAL: ENGLISH

COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE
Seventh session
Vienna, 21-30 April 1998
Item 3 of the provisional agenda*

TENTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Progress made in the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General

CONTENTS

	Paragraphs	*Page*
INTRODUCTION	1-4	2
I. SUBSTANTIVE AND ORGANIZATIONAL PREPARATIONS	5-25	3
A. Views of Governments	5-11	3
B. Provisional agenda	12-13	4
C. Workshops	14-15	4
D. Format	16	5
E. Theme	17-18	5
F. Discussion guides	19	5
G. Appointment of a Secretary-General	20	5
H. Regional preparatory meetings	21	6
I. Public information activities	22-23	6
J. Resource allocation	24-25	6

*E/CN.15/1998/2.

V.98-51542 (E)

		Paragraphs	*Page*
II.	PLANNING ASPECTS OF THE TENTH CONGRESS	26-31	7
	A. Venue	26	7
	B. Dates	27	7
	C. Documentation	28-29	7
	D. Rules of procedure	30	8
	E. Handbook on the preparations for the Tenth Congress	31	8
III.	CONCLUSION AND ACTION REQUIRED OF THE COMMISSION	32-34	8
Annex.	Draft programme of work for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders		9

INTRODUCTION

1. The General Assembly, in its resolution 52/91, on preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, decided that the Tenth Congress should be held in the year 2000 and that the themes to be included in the provisional agenda of the Tenth Congress should be those recommended by the Commission on Crime Prevention and Criminal Justice at its sixth session.[1] The Assembly also decided that four workshops should be held within the framework of the Tenth Congress.

2. In the same resolution, the General Assembly requested the Commission, at its seventh session, to finalize the programme for the Tenth Congress and to make its final recommendations, through the Economic and Social Council, to the General Assembly, taking into account that the Tenth Congress should deal with a limited number of precisely defined substantive topics reflecting the urgent needs of the world community and include practical technical workshops on well-focused issues related to the substantive agenda items. In addition, the Assembly requested the Secretary-General to prepare a discussion guide for the consideration of the Commission, in cooperation with the institutes for the prevention of crime and the treatment of offenders, affiliated with the United Nations, and invited Member States to be actively involved in that process.

3. In order to ensure that Governments would be fully involved in the implementation of General Assembly resolution 52/91, the Secretary-General solicited the views of all Governments, requesting information on the action taken by them in response to that resolution. As at 15 February 1998, the following States had replied: Colombia, Cyprus, Jordan, Spain and Syrian Arab Republic.

4. The present report is submitted to the Commission for its consideration in order for it to provide guidance to the Secretariat on the organizational and substantive preparations for the Tenth Congress, including its dates and duration, documentation and venue. The report should be considered in conjunction with the previous report of the Secretary-General on the preparations for the Tenth Congress (E/CN.15/1997/2 and Corr.1 and Add.1), which will also be made available to the Commission at its seventh session.

I. SUBSTANTIVE AND ORGANIZATIONAL PREPARATIONS

A. Views of Governments

5. At the sixth session of the Commission, Member States, in considering the preparations for the Tenth Congress, provided comments on its functions, its organizational and substantive aspects and venue. The holding of the Tenth Congress was considered a landmark event at the dawn of the twenty-first century that would represent one further step towards the achievement of safety and security for the citizens of every country. The view was expressed that the Tenth Congress should be practical rather than theoretical and should be specific rather than general. It should provide political directions to the Commission and should act as a catalyst, not only in taking stock of new developments, but also in facilitating the exchange of information and the sharing of experiences, as well as the formulation and coordination of crime prevention and criminal justice strategies.

6. The views of Member States provided in response to the note verbale of the Secretary-General on the implementation of General Assembly resolution 52/91 are summarized below.

7. The Government of Colombia agreed with the results of the discussion at the sixth session of the Commission on the topics to be included in the provisional agenda of the Tenth Congress and the topics for the four workshops.

8. With regard to the specific topics identified for inclusion in the provisional agenda of the Tenth Congress, the Government of Cyprus indicated that it had taken various initiatives. Initiatives aimed at promoting the rule of law and strengthening the criminal justice system included: reviewing the law of evidence in criminal cases; using advanced technology on an organized basis to collect evidence in criminal cases (the use of video camera, tapes etc.); and ensuring the rapid hearing of criminal cases. With respect to international cooperation in combating transnational crime, the Government referred to section 5 of the Criminal Code that was under implementation. Regarding the topic "Effective crime prevention: keeping pace with the new developments", the effective use of technological advances for the prevention of crime was being pursued. With respect to the topic "Offenders and victims: accountability and fairness in the justice process", the Government indicated that in cases of family violence, a video record for testimony was being used so that the victim would not have to repeat his or her statement in the court or anywhere else and so that any physical abuse could be seen. Accordingly, the victim was not obliged to give evidence in chief in the court. In addition, under a bill pending approval by the House of Representatives regarding violence in the family, the victim would not be obliged to face the accused in the courtroom.

9. The Government of Jordan expressed its support for the Tenth Congress.

10. The Government of Spain recommended that the following should be included under the topic "Promoting the rule of law and strengthening the criminal justice system":

> The improvement of instruments against transnational organized crime by *inter alia*: more flexible legislation encouraging investigation of the movement of funds in relation to money-laundering; legislation permitting the interception of oral communications; legal protection of witnesses to preserve their anonymity; legislation regulating the statutory definition of the concept of undercover agents; improvement of investigation techniques such as controlled delivery; and protection of agents by measures to preserve their anonymity throughout the criminal proceedings.

Under the topic "International cooperation in combating transnational crime: new challenges in the twenty-first century", the following should be included: establishment of channels for information exchange and facilitating

the transfer of agents from one country to another to enable them to testify before judicial authorities; and creation of data banks on criminal organizations, with due regard for approved legislation to protect data of a personal nature.

11. The Government of the Syrian Arab Republic proposed the inclusion of the following topics: (a) the effects of colonialism and occupation of territories on the spread of crime and the means of international cooperation in reducing such effects; (b) the effects of the deterioration of economic conditions, poverty and the plundering of resources on the spread of crime and the means of international cooperation to eliminate their causes and reduce such effects; (c) the effects of introducing modern techniques in crime prevention in developing countries and the basic principles of cooperation in that area; (d) the definition of terrorism that contributes to criminality; (e) the coercive measures in the occupied territories and the blockade, which constituted terrorism and were considered factors contributing to the increase in crime; (f) the allocation of a proportion of the value of confiscations resulting from money-laundering and other activity related to drug trafficking, as aid for developing countries, in order to modernize their ways and means of combating money-laundering and other drug-related offences; (g) the effect of national struggle on mitigating criminality, drawing upon the ideals and noble aims of such a struggle to which the citizens aspire; and (h) the effects of economic, scientific and cultural development on reducing the spread of such offences as negligence and tort, as well as corruption.

B. Provisional agenda

12. The following four substantive topics were recommended by the Commission at its sixth session for inclusion in the provisional agenda of the Tenth Congress and were approved by the General Assembly in its resolution 52/91:

Topic 1: Promoting the rule of law and strengthening the criminal justice system

Topic 2: International cooperation in combating transnational organized crime: new challenges in the twenty-first century

Topic 3: Effective crime prevention: keeping pace with the new developments

Topic 4: Offenders and victims: Accountability and fairness in the justice process.

13. It is recommended that topic 1 should be considered in plenary meetings. The remaining substantive items should be dealt with by the two main committees.

C. Workshops

14. The General Assembly, in its resolution 52/91, decided that four workshops on the following issues should be held within the framework of the Tenth Congress:

(a) Combating corruption;

(b) Crimes related to the computer network;

(c) Community involvement in crime prevention;

(d) Women in the criminal justice system.

15. In this connection, the attention of the Commission is drawn to the summary of proposals for the workshops to be held within the framework of the Tenth Congress, as reflected in the draft discussion guides

for the regional preparatory meetings for the Tenth Congress and on demonstration and research workshops (E/CN.15/1998/Add.1 and 2).

D. Format

16. The Commission, in discussing the format of the Tenth Congress, at its sixth session expressed broad support for the format that had been followed at the Ninth Congress. Organizational aspects requiring particular attention included the relationship between the Commission and the United Nations congresses on the prevention of crime and the treatment of offenders, the status of the workshops and the consideration of draft resolutions. A single declaration containing the recommendations of the Tenth Congress should be presented for consideration and action by the Commission. The Commission at its sixth session stressed the importance of applying the rules of procedure for the congresses (Economic and Social Council resolution 1993/32, annex), in particular rule 28, on the submission of draft resolutions on topics selected for consideration by the Congress. It was suggested that the rules of procedure should be reviewed in order to accommodate the work and results of the workshops.

E. Theme

17. The report of the Secretary-General on preparations for the Tenth Congress, which was considered by the Commission at its sixth session, contained a number of proposals regarding possible themes for the Tenth Congress. They included the following: "Keeping pace with the globalization and the new technology: a plan of action for the twenty-first century"; "A revitalized criminal justice system towards the twenty-first century"; "Prevention-oriented enforcement and comprehensive rehabilitation of offenders"; "Enhanced administration of justice and the rule of law"; "Zero safe-haven for international criminals"; "International cooperation and technical assistance"; and "Meeting the challenge of crime and justice in a new century" (E/CN.15/1997/2, paras. 22, 107, 109 and 124).

18. The theme for the Tenth Congress should carry the express message of facing the challenge of combating crime and ensuring justice. In this connection, the Commission may wish to consider the theme "Meeting the challenge of crime and justice in a new century: no safe haven for criminals".

F. Discussion guides

19. Pursuant to General Assembly resolution 52/91, the Secretariat, in consultation with the regional institutes, has prepared a draft discussion guide for the regional preparatory meetings for the Tenth Congress (E/CN.15/1998/Add.1). The Secretariat has also prepared a draft discussion guide on demonstration and research workshops (E/CN.15/1998/Add.2). Full account has been taken of the recommendations made by the informal working group of the Commission established at its sixth session, which dealt with the selection of the substantive agenda items and of the related workshops.[2] The discussion guide will be used as the annotated provisional agenda and main working document for the regional preparatory meetings. The Commission may wish to take note of it and endorse its content and format.

G. Appointment of a Secretary-General

20. Maintaining the practice established with respect to previous congresses, a Secretary-General for the Tenth Congress will be appointed by the Secretary-General of the United Nations at the appropriate time.

H. Regional preparatory meetings

21. The regional preparatory meetings are intergovernmental in nature. They will be attended by representatives of Governments, United Nations bodies, specialized agencies and other interested entities in the United Nations system, and intergovernmental and non-governmental organizations and institutes. The main thrust of the meetings will be to facilitate an exchange of views and experiences on the various issues to be discussed by the Congress and to identify the main concerns and priorities of the five regions. Consultations are under way with the regional commissions and the Secretariat regarding the possible dates and venues. It is expected that, upon the conclusion of the seventh session of the Commission, the planning for the meetings will be initiated. The basic resources required for holding them have already been included in the programme budget for the biennium 1998-1999.

I. Public information activities

22. It is expected that the Department of Public Information of the Secretariat will continue its practice of undertaking public information activities to complement the preparatory work for the Tenth Congress. Those activities should have the following objectives:

(a) To provide Governments and experts with information on the Tenth Congress, especially with regard to the scope of the items of the provisional agenda;

(b) To create awareness among experts and the general public of the significance of actions taken by Governments and intergovernmental and non-governmental organizations and of the work of the United Nations in the field of crime prevention and criminal justice.

23. The target audience of the activities will include: government officials; specialists in criminal law and criminal justice; public administrators; parliamentarians; planners; practitioners in the field of crime prevention and criminal justice; readers of periodicals and other publications specializing in criminology and penology; and officers and members of professional organizations of judges, law enforcement personnel and other pertinent professional groups.

J. Resource allocation

24. The basic necessary resources for the preparation of the Tenth Congress have been included in the programme budget for the biennium 1998-1999, which was approved by the General Assembly in its resolutions 52/221 A to C. The estimated costs of convening the Tenth Congress (i.e. the travel costs of the representatives of least developed countries and of staff to service the Tenth Congress as well as hospitality and other conference-servicing costs) will be included in the proposed programme budget for the biennium 2000-2001, which will be considered and approved by the General Assembly at its fifty-fourth session.

25. Based on past experience, the resource base provided to the Secretariat for the preparation of the Tenth Congress may be complemented by contributions of Governments, organizations and institutes. The Secretary-General would welcome such contributions and encourages all concerned to be fully involved in the preparations of this major event.

II. PLANNING ASPECTS OF THE TENTH CONGRESS

A. Venue

26. In its resolution 52/91, the General Assembly welcomed the offer of the Government of South Africa to host the Tenth Congress and requested the Secretary-General to initiate consultations with the Government and report to the Commission at its seventh session. The Assembly took note with appreciation of the statement made on behalf of the Government of Austria that, if consensus could be reached and the question of timing could be resolved, that Government would be honoured to host the Tenth Congress at Vienna. The Secretariat has maintained contact with the authorities of the Government of South Africa and, drawing on past experience, has provided the required information on the obligation of the Government in case a final agreement is reached regarding the hosting of the Tenth Congress. The Secretariat has also maintained contact with the authorities of the Government of Austria in order to keep it informed of developments in that regard.

B. Dates

27. In proposing options for the dates of the Tenth Congress, the Commission may wish to take into account that the Tenth Congress would report to it at its ninth session. That would permit the Commission to consider the conclusions and recommendations of the Tenth Congress and to recommend appropriate follow-up action by the Economic and Social Council and the General Assembly. In determining the dates of the Tenth Congress, the host Government should be consulted at an early stage to ensure its involvement and consent, as well as the time required for pre-congress consultations, in accordance with past practice. Pursuant to General Assembly resolution 46/152, annex, paragraph 30 (a), the Tenth Congress should be held for a period between 5 and 10 working days. Past congresses have generally lasted 10 working days and have been preceded by pre-congress consultations designed to enable delegations to reach agreement on procedural and organizational matters to be dealt with during the congresses, as well as on matters of regional concern. In deciding on the duration of the Tenth Congress, the Commission may wish to take into account the number of meetings required for the discussion of the substantive topics and the workshop topics.

C. Documentation

28. It is proposed that the basic documentation for the Tenth Congress should consist of the following:

(a) Working papers on each of the four substantive items of the provisional agenda of the Tenth Congress, drawing on the results of the regional preparatory meetings, the recommendations of the Commission and contributions made by experts. The working papers will set the stage for the discussions by highlighting certain elements of the problems and reflecting the priorities and major issues of the various countries and regions;

(b) Reports of the regional preparatory meetings;

(c) A limited number of documents prepared by the Secretariat that are relevant to the discussion of the agenda items, such as reports on the implementation of existing standards and norms and other specialized studies on specific issues.

29. Background documents for the Tenth Congress will consist of the following:

(a) Reports prepared by other United Nations entities and by institutes for the prevention of crime and the treatment of offenders, affiliated with the United Nations;

(b) Reports by specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, as well as contributions by individual experts on the roster of the Secretariat, dealing with specific questions in their areas of concern;

(c) National papers or reports submitted by Governments.

D. Rules of procedure

30. The Commission at its second session examined the draft rules of procedure for the congresses, and elaborated a number of new rules and recommended them for consideration by the Economic and Social Council. In its resolution 1993/32, the Council approved the rules of procedure, as recommended by the Commission and contained in the annex to the resolution. It is understood that, unless the Commission decides otherwise, the Tenth Congress will be organized according to the same rules of procedure.

E. Handbook on the preparations for the Tenth Congress

31. The Secretariat, in the context of implementing the programme budget for the biennium 1996-1997, had foreseen the elaboration of a handbook on the preparations for the Tenth Congress. Its purpose will be to provide guidance and relevant information to Member States, intergovernmental and non-governmental organizations and institutes regarding the substantive preparations for the Tenth Congress. It is hoped that resources for its printing will become available through voluntary contributions.

III. CONCLUSION AND ACTION REQUIRED OF THE COMMISSION

32. The present report complements the previous reports of the Secretary-General on the preparations for the Tenth Congress (E/CN.15/1996/15 and E/CN.15/1997/2 and Corr.1 and Add.1). The Tenth Congress, which will usher in a new millennium, will provide an opportunity for taking stock of the successes achieved and problems encountered throughout the world in combating crime and ensuring justice. The holding of the Tenth Congress reflects the hope of developing more just societies, living in mutual tolerance and abiding by the rule of law. The Tenth Congress can make a contribution towards advancing those aims and tackling pressing concerns.

33. In accordance with General Assembly resolution 52/91, the Commission is expected to make specific recommendations to the Assembly, through the Economic and Social Council, regarding the finalization of the programme of work for the Tenth Congress (see annex) and other organizational arrangements, including its dates and duration, documentation and venue. The action taken by the Commission on those and other related matters will guide the Secretariat in ensuring the timely preparation of the Tenth Congress, including the finalization of hosting arrangements at least 18 months before it is to be convened.

34. The General Assembly, in its resolution 52/91, decided to reserve the first two days of the plenary session at the Tenth Congress following its opening primarily for statements on its main themes by representatives at a high political level. This will provide a global arena where different approaches and viewpoints can be discussed and the basis for common positions can be established.

Notes

[1]*Official Records of the Economic and Social Council, 1997, Supplement No. 10* (E/1997/30), chap. II, para. 15.

[2]Ibid.

Annex

DRAFT PROGRAMME OF WORK FOR THE TENTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Day	*Plenary*	*Committee I*	*Committee II*
Day 1			
Morning		Opening ceremony	
Afternoon	Presentation of the state of crime and criminal justice worldwide and high-level segment	Introduction and discussion of topic 1: "Promoting the rule of law and strengthening the criminal justice system"	Introduction and discussion of topic 3: "Effective crime prevention: keeping pace with the new developments"
Day 2			
Morning	High-level segment	Continuation of topic 1	Continuation of topic 3
Afternoon	High-level segment	Continuation of topic 1	Continuation of topic 3
Day 3			
Morning	High-level segment	Continuation of topic 1	Continuation of topic 3
Afternoon	General debate	Continuation of topic 1	Workshop on community involvement in crime prevention
Day 4			
Morning	General debate	Workshop on combating corruption	Continuation of the workshop on community involvement
Afternoon	General debate	Continuation of the workshop on combating corruption	Continuation of the workshop on community involvement
Day 5			
Morning	General debate	Continuation of the workshop on combating corruption	Continuation of the workshop on community involvement
Afternoon	General debate	Continuation of the workshop on combating corruption	Introduction and discussion of topic 2: "International co-operation in combating transnational organized crime: new challenges in the twenty-first century"

Day	*Plenary*	*Committee I*	*Committee II*
Day 6			
Morning	General debate	Introduction and discussion of topic 4: "Offenders and victims: accountability and fairness in the justice process"	Continuation of topic 2
Afternoon	General debate	Continuation of topic 4	Continuation of topic 2
Day 7			
Morning	General debate	Continuation of topic 4	Continuation of topic 2
Afternoon	Committee of the Whole	Continuation of topic 4	Continuation of topic 2
Day 8			
Morning	Committee of the Whole	Workshop on women in the criminal justice system	Workshop on crimes related to the computer network
Afternoon	Committee of the Whole	Continuation of the workshop on women in the criminal justice system	Continuation of the workshop on crimes related to the computer network
Day 9			
Morning	Committee of the Whole	Continuation of the workshop on women in the criminal justice system	Continuation of the workshop on crimes related to the computer network
Afternoon	Consideration of conclusions and recommendations	Continuation of the workshop on women in the criminal justice system	Continuation of the workshop on crimes related to the computer network
Day 10			
Morning and afternoon		Adoption of the report and closure	